

CAUSE NO. PD-0712-20

NELSON GARCIA DIAZ

Appellant

VS.

THE STATE OF TEXAS,

Appellee

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THE TEXAS COURT OF

COURT OF CRIMINAL APPEALS

11/18/2020

CRIMINAL APPEALS

AUSTIN, TEXAS

FIRST MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW, NELSON GARCIA DIAZ, Appellant, and files this Motion for Extension of Time to File Appellant's Brief, pursuant to Rules 10.5(b) and 38.6(d), Texas Rules of Appellate Procedure. In support of this Motion, Appellant would show the following:

I.

Appellant's brief is due to be filed November 20, 2020. Counsel for Appellant requires an extension of thirty (30) days from today in which to complete and file Appellant's brief in this cause. The court has not granted any extensions and Appellant requests thirty days.

II.

Counsel for Appellant has worked diligently toward filing a brief. But Appellant respectfully requests additional time for the following reasons:

Counsel has spent the past two weeks litigating a motion to adjudicate in the 185th District Court and was occupied for several days prior preparing for this exhaustive hearing. Counsel requires an additional thirty days to complete Appellant's brief.

III.

This request is not made for the purpose of delay, but rather this request is made to allow counsel adequate time to prepare Appellant's Brief.

WHEREFORE, PREMISES CONSIDERED, Appellant moves this Court for an order granting an extension of thirty (30) days from today for Appellant to submit the brief in this case.

Respectfully submitted,

/s/ Nicole Deborde

Nicole Deborde

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COUNSEL FOR APPELLANT,
NELSON GARCIA DIAZ

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion for Extension of Time to File Appellant's Brief was delivered via email through eFile.TXCourts.gov to Kim K. Ogg, Harris County District Attorney, and Eric Kugler, Harris County Assistant District Attorney on this 18th day of November, 2020.

/s/ Nicole Deborde
NICOLE DEBORDE

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